

**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MASSACHUSETTS**

SAMUEL KATZ and LYNNE RHODES,	)	
individually, and on their own behalf and on	)	
behalf of all others similarly situated,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
LIBERTY POWER CORP., LLC, <i>et al.</i> ,	)	
	)	
Defendants.	)	
	)	
LIBERTY POWER CORP., LLC, and	)	
LIBERTY POWER HOLDINGS, LLC,	)	
	)	
Third-Party Plaintiffs,	)	
	)	
v.	)	
	)	
MEZZI MARKETING, LLC,	)	
	)	
Third-Party Defendant.	)	
	)	

Case No. 1:18-cv-10506-ADB

**DEFENDANTS LIBERTY POWER CORP., LLC AND LIBERTY POWER HOLDINGS,  
LLC’S NOTICE OF SUPPLEMENTAL AUTHORITY**

Defendants Liberty Power Corp., LLC and Liberty Power Holdings, LLC (collectively, “Liberty Power” or “Defendants”), by and through counsel, write the Court to advise that since they filed their Motion to Stay (ECF No. 227), two more federal district courts have granted motions to stay TCPA cases pending the resolution of *Barr v. Am. Ass’n of Political Consultants, Inc.*, 140 S.Ct. 812, 205 L.Ed. 2d 449 (2020). *See Boger v. Citrix Sys., Inc.*, No. 8:19-CV-01234-PX, 2020 WL 1939702, at \*4 (D. Md. Apr. 22, 2020) (“The Court grants Citrix’s Motion to Stay to await decision from the Supreme Court in *AAPC*”); *Lacy v. Comcast Cable Commc’ns, LLC*, No. 3:19-CV-05007-RBL, 2020 WL 2041755, at \*2 (W.D. Wash. Apr. 28, 2020) (“Balancing

these interests, this Court joins the other district courts that have briefly stayed TCPA cases pending the Supreme Court's decision in *AAPC*"). In addition, and inadvertently omitted from the Motion to Stay, the Court in *Nakai v. Charter Commc'ns, Inc.*, No. CV 19-8035-GW-SSX, 2020 WL 1908949, at \*1 (C.D. Cal. Apr. 15, 2020) also stayed a TCPA case pending the decision in *Barr*. The United States Supreme Court heard oral argument in *Barr* on May 6, 2020. Thus, with a decision forthcoming this year, the length of the stay would be minimal and will not prejudice Plaintiffs.

Respectfully submitted,

**LIBERTY POWER CORP., LLC,  
LIBERTY POWER HOLDINGS, LLC,**

By their attorneys,

/s/ Rachel E. Moynihan

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**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

Dated: May 13, 2020

/s/ Rachel E. Moynihan  
Rachel E. Moynihan